

**APPROVED
CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA**

MINUTES

**October 25, 2007 - 1:30 pm
Seminole County Services Building – Room 1028
1101 East First Street, Sanford FL**

I Call to Order

The scheduled meeting of the Seminole County Code Enforcement Board was called to order at 1:36 p.m. in the Seminole County Services Building, Room 1028, 1101 East First St, Sanford FL.

A few moments of silence was held followed by the Pledge of Allegiance.

II Pledge of Allegiance

III Roll Call

Members Present: Tom Hagood, Chair
Bill Fahey, Vice Chair
Grace Chewning
Larry Lawver (arrived at 1:50)
Stewart Fritz
Gerald Ames (left at 3:25)
Jay Ammon

Present and Sworn: Elfriede Arsenault, Respondents, 07-99-CEB
Horace & Shawnta McGaw, Respondents, 07-116-CEB
Daniel Richard, Respondent, 07-120-CEB & 07-121-CEB
Johnnie Madison, Respondent, 07-124-CEB
Paul Harbach, Respondent, 07-127-CEB
Nancy Helms, Respondent, 07-54-CEB
Jerry Robertson, Code Enforcement Officer, SCSO
Joann Davids-Tamulonis, Code Enforcement Officer, SCSO
Dorothy Hird, Code Enforcement Officer, SCSO
Donna Wisniewski, Code Enforcement Officer, SCSO
Deborah Leigh, Senior Code Enforcement Officer, SCSO
Pamela Taylor, Code Enforcement Officer, SCSO
Tom Helle, Deputy Building Official
Jason Rucker, Building Inspector

Others Present: Dan Mantzaris, Code Enforcement Board Attorney
Connie R. DeVasto, Planning Department
Jane Spencer, Clerk to the Code Enforcement Board

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IV Swearing in of Witnesses

Theresa Arsenault, Daughter of Respondent, 07-99-CEB
Lorne Durkett, Esquire, Attorney for Respondent, 07-108-CEB

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V

Agenda Update and Approval

The published agenda was revised to allow respondents and witnesses present at today's hearing to be heard first. The remaining cases would then be heard in the order originally published.

TOM HAGOOD – YES	BILL FAHEY – YES
GRACE CHEWNING – YES	JAY AMMON – YES
GERALD AMES – YES	STEWART FRITZ – YES

MOTION CARRIED 6 – 0.

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The following cases will not be heard today:

EDNA BURNETT, 07-76-CEB
CONTINUED BY STAFF

MICHAEL B. & CYNTHIA CASEY, 07-88-CEB
CONTINUED BY STAFF

EUGENIA F. BAYLOR, 07-100-CEB
COMPLIED PRIOR TO HEARING

VICTOR & NESTOR BRITO, 07-101-CEB
COMPLIED PRIOR TO HEARING

BERNESE SMALL, 07-102-CEB
COMPLIED PRIOR TO HEARING

CHARLES & YVETTE DACOSTA, 07-104-CEB
COMPLIED PRIOR TO HEARING

GREGORIO & NANCY ALAVA, 07-105-CEB
CONTINUED BY STAFF

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PHILIP W. ROTH, 07-107-CEB
COMPLIED PRIOR TO HEARING

CARL FELTS, 07-111-CEB
VOLUNTARY DISMISSAL

BETHANN SCHULDINER, TRUSTEE FBO, 07-112-CEB
VOLUNTARY DISMISSAL

TRACY R. MILLS, 07-113-CEB
COMPLIED PRIOR TO HEARING

JOEL & JUNE HANKINS, 07-115-CEB
VOLUNTARY DISMISSAL

THOMAS & CINDY SPURR, 07-117-CEB
COMPLIED PRIOR TO HEARING

TED H. & CINDY CROWELL, 07-118-CEB
VOLUNTARY DISMISSAL

ALBERT TOURJEMAN, 07-119-CEB
COMPLIED PRIOR TO HEARING

DIANETTA L. WILLIS, CASE NO 07-122-CEB
COMPLIED PRIOR TO HEARING

RONALD VONDERBECKE &
CURTISS & LOIS VONDERBECKE, 07-123-CEB
COMPLIED PRIOR TO HEARING

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Case No. 07-99-CEB
Edward & Elfriede Arsenault
Code Enforcement Officer: Dorothy Hird

NEW CASE

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in
Section 95.3 (g)
Described as: 1) The accumulation of trash and debris
Location: 101 Lilac Lane, Altamonte Springs (Commission District 3)
Tax Parcel ID # 14-21-29-507-0000-0200

Dorothy Hird, Code Enforcement Officer, was present at the hearing and testified
on behalf of the County and entered into evidence photographs of the violation.

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Officer Hird stated that the recommendation would be to comply by November 9, 2007 with a fine of \$75.00 per day if the violation continues or is repeated past November 9, 2007.

Elfriede Arsenault, Respondent, was present at the hearing and testified on her own behalf and entered into evidence photographs. Ms. Elfriede Arsenault stated that due to her physical inability to do the work, she required help from her daughter to clean up the area. Ms. Elfriede Arsenault stated that there were problems but that they had tried to correct them.

Theresa Arsenault, daughter of Respondents, was present at the hearing and testified on behalf of the Respondents. Ms. Theresa Arsenault stated that although the leaves in the pool were from a neighbor's tree, she does try to keep the area clean.

Tom Hagood inquired as to when the violation could be removed.

Ms. Elfriede Arsenault stated that she plans to restore the pool.

Officer Hird stated that in order to come into compliance, the pool needed to be repaired or removed.

When asked by Mr. Hagood as to when the Respondents could come into compliance, Ms. Elfriede Arsenault stated the middle of January of 2008.

After discussion of this case by the Board:

MOTION BY JAY AMMON, SECONDED BY STEWART FRITZ, THAT THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 07-99-CEB, it is determined that the Respondents are:

- (a) the owners of record of the property (Tax Parcel ID # 14-21-29-507-0000-0200) located at 101 Lilac Lane, Altamonte Springs, located in Seminole County and legally described as follows:

LEG LOT 20 SPRING GARDENS PB 15 PG 97

- (b) in possession or control of the property, and
- (c) in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (g).

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It is hereby ordered that the Respondents shall correct the violation on or before **January 20, 2008**. In order to correct the violation, the Respondents shall take the following remedial action:

1) REMOVE THE ACCUMULATION OF TRASH AND DEBRIS

If the Respondents do not comply with the Order, a fine of **\$75.00 per day** will be imposed for each day the violation continues or is repeated after compliance past **January 20, 2008**.

The Respondents are further ordered to contact the Seminole County Code Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until the Code Officer inspects the property and verifies compliance with this Order.

This Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 25th day of October 2007, in Seminole County, Florida.

**TOM HAGOOD – YES
GRACE CHEWNING – YES
GERALD AMES – YES**

**BILL FAHEY – YES
JAY AMMON – YES
STEWART FRITZ – YES**

MOTION CARRIED 6 – 0.

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(Larry Lawver arrived at 1:50)
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Case No. 07-108-CEB
Homecoming Financial, LLC and
Corporation Service Company, Registered Agent
Lead Inspector: Jason Rucker

NEW CASE

Violation Charged: Florida Building Code, Section 105.1
Described as: 1) Enclosed carport without a permit
Location: 3562 Bougainvillea Drive, Winter Park (Commission District 4)
Tax Parcel ID # 34-21-30-506-1000-0020

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Jason Rucker, Building Inspector, was present at the hearing and testified on behalf of the County and entered into evidence photographs of the violation.

Inspector Rucker stated that the recommendation would be to comply by November 26, 2007 with a fine of \$250.00 per day if the violation continues or is repeated past November 26, 2007.

Bill Fahey inquired as to whether the case had been brought before the Board before. Inspector Rucker stated that the case was before the Board on February 22, 2007 but that ownership had changed

Lorne Durket, Attorney for the Respondents, was present at the hearing and testified on behalf of the Respondents. Mr. Durket informed the Board that the Respondents took title to the property through foreclosure and now have buyers for the property who are willing to sign an affidavit stating that they are aware that the property has a violation which needs to be brought into compliance.

Mr. Durket asked the Board for more time to come into compliance

Jay Ammon asked Inspector Rucker if the structure appeared to be dangerous. Inspector Rucker stated that he had only seen it from the outside.

General discussion was had concerning the process that happens when ownership changes.

After discussion of this case by the Board:

MOTION BY LARRY LAWVER, SECONDED BY GERALD AMES TO TABLE CASE TO MARCH 27, 2008.

**TOM HAGOOD – YES
GRACE CHEWNING – YES
GERALD AMES – YES
LARRY LAWVER - YES**

**BILL FAHEY – NO
JAY AMMON – YES
STEWART FRITZ – YES**

MOTION CARRIED 6 – 1.



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Case No. 07-120-CEB
Daniel Richard (#1)
Code Enforcement Officer: Donna Wisniewski

NEW CASE

Violation Charged: Seminole County Land Development Code, Chapter 30, Section 30.442
Described as: 1) Operating a boarding house is not a permitted use in a PUD
Location: 3347 South St. Lucie Drive, Casselberry (Commission District 1)
Parcel I. D. # 23-21-30-518-0000-1640

Donna Wisniewski, Code Enforcement Officer, was present at the hearing and testified on behalf of the County and entered into evidence photographs of the violation as Exhibit 1 and a note from the Respondent as Exhibit 2.

Officer Wisniewski stated that this was a recurring violation. Officer Wisniewski also stated that at her last inspection on October 19, 2007, the violation still remained.

Officer Wisniewski stated that the recommendation would be to comply by November 9, 2007 with a fine of \$250.00 per day if the violation continues or is repeated past November 9, 2007.

Daniel Richard, Respondent, was present at the hearing and testified on his own behalf and entered a lease into evidence. Mr. Richard stated that he is not in violation of the code.

General discussion was had concerning the relationship of the occupants of the property.

When Jay Ammon asked Officer Wisniewski if there had been other complaints other than notification from the police who had been called to the house, Officer Wisniewski stated that neighbors had complained about too many people in and out of the property.

After Dan Mantzaris read a portion of the lease to the Board, general discussion was had concerning the lease, the definition of a boarding house and the definition of immediate family.

After discussion of this case by the Board:

MOTION BY GERALD AMES, SECONDED BY STEWART FRITZ, THAT THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 07-120-CEB, it is determined that the Respondent is:

- (a) the owner of record of the property (Tax Parcel ID # 23-21-30-518-0000-1640) located at 3347 South St. Lucie Drive, Casselberry, located in Seminole County and legally described as follows:

LEG LOT 164 HOLLOWBROOK WEST PH 4 PB 36 PGS 77 TO 79

- (b) in possession or control of the property, and
- (c) in **recurring** violation of Seminole County Land Development Code, Chapter 30, Section 30.442.

It is hereby ordered that the Respondent shall correct the **recurring** violation on or before **November 9, 2007**. In order to correct the violation, the Respondent shall take the following remedial action:

1) CEASE OPERATION OF A BOARDING HOUSE WHICH IS NOT A PERMITTED USE IN A PUD

If the Respondent does not comply with the Order, a fine of **\$250.00 per day** will be imposed for each day the violation continues or is repeated after compliance past **November 9, 2007**.

The Respondent is further ordered to contact the Seminole County Code Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until the Code Officer inspects the property and verifies compliance with this Order.

This Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 25th day of October 2007, in Seminole County, Florida.

While Tom Hagood was explaining the Board's decision, the Respondent stated that he was still unclear as to what the violation was. Mr. Hagood suggested that the Respondent speak with Officer Wisniewski to be clear what did and did not constitute a violation informing him that if in the future the violation is repeated, the fine would start to accrue immediately.

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After discussion by Gerald Ames as to whether there is a violation or was a violation, Mr. Mantzaris suggested that Mr. Hagood clarify the motion. Mr. Hagood clarified that the motion was to accept Staff's recommendation that there is a violation.

TOM HAGOOD – YES **BILL FAHEY – YES**
GRACE CHEWNING – YES **JAY AMMON – YES**
GERALD AMES – YES **STEWART FRITZ – YES**
LARRY LAWVER – YES

MOTION CARRIED 7 – 0.

Case No. 07-121-CEB
Daniel Richard (#2)
Code Enforcement Officer: Donna Wisniewski

NEW CASE

Violation Charged: Seminole County Land Development Code, Chapter 30, Section 30.442
Described as: 1) Operating a boarding house is not a permitted use in a PUD
Location: 684 Grackle Drive, Casselberry (Commission District 1)
Parcel I. D. # 15-21-30-503-0B00-0160

Donna Wisniewski, Code Enforcement Officer, was present at the hearing and testified on behalf of the County and entered into evidence photographs of the violation as Exhibit 1. Officer Wisniewski stated that this recurring violation was now in compliance.

Officer Wisniewski stated that the recommendation would be to find that the property was in violation but is now in compliance; however, if the violation is repeated past October 25, 2007, a fine of \$250.00 per day will be imposed.

Daniel Richard, Respondent, was present at the hearing and testified on his own behalf.

After discussion of this case by the Board:

MOTION BY GERALD AMES, SECONDED BY LARRY LAWVER, THAT THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 07-121-CEB, it is determined that the Respondent is:

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- (a) the owner of record of the property (Tax Parcel ID # 15-21-30-503-0B00-0160) located at 684 Grackle Drive, Casselberry, located in Seminole County and legally described as follows:

LEG LOT 16 BLK B STERLING PARK UNIT 2 PB 17 PG 88

- (b) in possession or control of the property, and
(c) was in **recurring** violation of Seminole County Land Development Code, Chapter 30, Section 30.442.

It is hereby ordered that the Respondent is in compliance at this time. In order to remain in compliance, the Respondent shall:

1) CEASE OPERATION OF A BOARDING HOUSE WHICH IS NOT A PERMITTED USE IN A PUD

If the Respondent does not comply with the Order, a fine of **\$250.00 per day** will be imposed for each day the violation continues or is repeated after compliance past October 25, 2007.

This Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 25th day of October 2007, in Seminole County, Florida.

Tom Hagood explained to the Respondent that while the Board found that he was in compliance at this time, if the violation was repeated a fine would begin to accrue immediately.

Officer Wisniewski, Tom Hagood and Dan Mantzaris further explained to the Respondent that because of this Order at this property, if this violation is repeated at any other property that he owns, the violation can come back to the Board as a repeat violation.

**TOM HAGOOD – YES
GRACE CHEWNING – YES
GERALD AMES – YES
LARRY LAWVER – YES**

**BILL FAHEY – YES
JAY AMMON – YES
STEWART FRITZ – YES**

MOTION CARRIED 7 – 0.

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Case No. 07-124-CEB
Johnnie M. Madison, Sr. and
Willie L. McFadden, et al
Code Enforcement Officer: Pamela Taylor

NEW CASE

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (l)
Described as: 1) Junked or abandoned vehicle(s) not kept within an enclosed garage or an attached carport
Location: 1951 Water Street, Sanford (Commission District 5)
Parcel I. D. # 32-19-31-501-0000-0250

Pamela Taylor, Code Enforcement Officer, was present at the hearing and testified on behalf of the County and entered into evidence photographs of the violation. Officer Taylor stated that at her last inspection on October 24, 2007, the Respondents requested additional time to comply.

Officer Taylor stated that the recommendation would be to extend her original compliance date of November 8, 2007 to mid January with a fine of \$150.00 per day if the violation continues or is repeated past the compliance date.

Johnnie Madison, Respondent, was present at the hearing and testified on his own behalf.

Tom Hagood asked Mr. Madison if he understood the nature of the violation and if he could be in compliance by January 15, 2007. Mr. Madison stated that he understood and could be in compliance.

After discussion of this case by the Board:

MOTION BY GRACE CHEWNING, SECONDED BY BILL FAHEY, THAT THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 07-124-CEB, it is determined that the Respondents are:

- (a) the owners of record of the property (Tax Parcel ID # 32-19-31-501-0000-0250) located at 1951 Water Street, Sanford, located in Seminole County and legally described as follows:

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LEG LOTS 25 + 26 THOMAS ADD TO MIDWAY PB 7 PG 69

- (b) in possession or control of the property, and
- (c) in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (l).

It is hereby ordered that the Respondents shall correct the violation on or before January 15, 2008. In order to correct the violation, the Respondents shall take the following remedial action:

1) REMOVE OR REPAIR JUNKED OR ABANDONED VEHICLE(S) OR PLACE VEHICLE(S) WITHIN AN ENCLOSED GARAGE OR ATTACHED CARPORT

If the Respondents do not comply with the Order, a fine of **\$150.00 per day** will be imposed for each day the violation continues or is repeated after compliance past January 15, 2008.

The Respondents are further ordered to contact the Seminole County Code Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until the Code Officer inspects the property and verifies compliance with this Order.

This Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 25th day of October 2007, in Seminole County, Florida.

**TOM HAGOOD – YES
GRACE CHEWNING – YES
GERALD AMES – YES
LARRY LAWVER – YES**

**BILL FAHEY – YES
JAY AMMON – YES
STEWART FRITZ – YES**

MOTION CARRIED 7 – 0.

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Case No. 07-54-CEB
Nancy Helms
Code Enforcement Officer: Joann Tamulonis

This case was continued from the September 27, 2007 meeting.

This case was originally heard by the Board on May 17, 2007; and an Order was entered giving the Respondent a compliance date of June 14, 2007. An Affidavit of Non-Compliance was filed by the Code Enforcement Officer after reinspection on June 15, 2007.

This property is NOT in compliance at this time.

RECOMMENDATION: The Board issue an Order constituting a **lien** in the amount of **\$33,250.00** for 133 days of non-compliance, from June 15, 2007 through and including October 25, 2007, at \$250.00 per day; and the fine shall continue to accrue at **\$250.00 per day** for each day the violations continue or are repeated past October 25, 2007. The Clerk shall record said Order in the Public Records of Seminole County.

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (f), (g), (h), (j) and (p)

Described as:

- 1) Unusable or abandoned appliances or white goods
- 2) The accumulation of trash and debris
- 3) Uncultivated vegetation in excess of 24" in height and located within 75' from any structure
- 4) Used/scrap building materials
- 5) Any other objectionable, unsightly, or unsanitary matter, substance, or material tending by its existence and/or accumulation to endanger or adversely affect the health, safety, lives, and/or welfare of the citizens of the county.

Location: 103 Champion Avenue, Altamonte Springs (Commission District 3)
Tax Parcel ID # 03-21-29-505-0X00-0400

Joann Tamulonis, Code Enforcement Officer, was present at the hearing and testified on behalf of the County requesting a continuance to the December 6, 2007 hearing. Officer Tamulonis stated that the Respondent had shown her pictures today which seem to indicate compliance.

Nancy Helms, Respondent, was present at the hearing and testified on her own behalf. Ms. Helms requested a continuance to give Officer Tamulonis an opportunity to verify compliance.

After discussion of this case by the Board:

MOTION BY GRACE CHEWNING, SECONDED BY GERALD AMES, THAT THE CASE BE CONTINUED TO THE DECEMBER 6, 2007 MEETING.

TOM HAGOOD – YES	BILL FAHEY – YES
GRACE CHEWNING – YES	JAY AMMON – YES
GERALD AMES – YES	STEWART FRITZ – YES
LARRY LAWVER – YES	

MOTION CARRIED 7 – 0.

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Case No. 07-116-CEB
Horace and Shawnta McGaw
Code Enforcement Officer: Joann D. Tamulonis

NEW CASE

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (g) and (h)
Described as: 1) The accumulation of trash and debris
2) Uncultivated vegetation in excess of 24" in height and located within 75' from any structure
Location: 632 Barbuda Way, Altamonte Springs (Commission District 3)
Parcel I. D. # 21-21-29-501-0000-0800

Joann Tamulonis, Code Enforcement Officer, was present at the hearing and testified on behalf of the County and entered into evidence photographs of the violation. Officer Tamulonis also stated that at her last inspection on October 11, 2007, the violations still remained.

Officer Tamulonis stated that the recommendation would be to comply by November 16, 2007 with a fine of \$100.00 per day if the violations continue or are repeated past November 16, 2007.

Horace and Shawnta McGaw, Respondents, were present at the hearing and testified on their own behalf and entered into evidence six photographs which they believe show compliance.

After reviewing the Respondents' pictures, Jay Ammon asked Officer Tamulonis for her opinion regarding compliance. Officer Tamulonis stated that she would like an inspection date after today's date to verify compliance.

After discussion of this case by the Board:

MOTION BY LARRY LAWVER, SECONDED BY STEWART FRITZ, THAT THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 07-116-CEB, it is determined that the Respondents are:

- (a) the owners of record of the property (Tax Parcel ID # 21-21-29-501-0000-0800) located at 632 Barbuda Way, Altamonte Springs, located in Seminole County and legally described as follows:

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LOT 80 OAKLAND HILLS PB 13 PG 63 & 64

- (b) in possession or control of the property, and
- (c) in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (g) and (h).

It is hereby ordered that the Respondents shall correct the violations on or before **November 16, 2007**. In order to correct the violations, the Respondents shall take the following remedial action:

- 1) REMOVE THE ACCUMULATION OF TRASH AND DEBRIS**
- 2) REMOVE THE UNCULTIVATED VEGETATION IN EXCESS OF 24" IN HEIGHT AND LOCATED WITHIN 75' FROM ANY STRUCTURE**

If the Respondents do not comply with the Order, a fine of **\$100.00 per day** will be imposed for each day the violations continue or are repeated after compliance past **November 16, 2007**.

The Respondents are further ordered to contact the Seminole County Code Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until the Code Officer inspects the property and verifies compliance with this Order.

This Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 25th day of October 2007, in Seminole County, Florida.

TOM HAGOOD – YES	BILL FAHEY – YES
GRACE CHEWNING – YES	JAY AMMON – YES
GERALD AMES – YES	STEWART FRITZ – YES
LARRY LAWVER – YES	

MOTION CARRIED 7 – 0.

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Case No 04-42-CEB
Isiah and Lucille Cohen
Code Enforcement Officer: Dorothy Hird

This is a repeat violation. The original violation was heard by the Board on June 24, 2004; and an Order was entered giving the Respondents a compliance date of August 27, 2004. An Affidavit of Non-Compliance was filed by the Code Enforcement Officer after reinspection on August 30, 2004. An Affidavit of

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Compliance was filed by the Code Enforcement Officer after reinspection on October 20, 2004. An Order rescinding the \$2,600.00 fine was entered by the Code Enforcement Board on October 28, 2004.

An Affidavit of Repeat Violation was filed after reinspection on August 30, 2007. An Affidavit of Compliance After Repeat Violation was filed by the Code Enforcement Officer after reinspection on September 21, 2007.

This property is presently in compliance.

RECOMMENDATION: The Board issue an Order constituting a **fine** on a repeat violation in the amount of **\$1,100.00** for 22 days of non-compliance, from August 30, 2007 through and including September 20, 2007, at **\$50.00 per day** and further order that if the violations continue past October 25, 2007, the fine shall be increased to **\$75.00 per day** for each day the violations continue past or are repeated after October 25, 2007. The Clerk shall record said Order in the Public Records of Seminole County.

Violation Charged: Seminole County Code, Chapter 95, Section 95.4 as defined in 95.3(g) and (l).

Described as: 1) The accumulation of trash and debris.
2) Junked or abandoned vehicle(s) not kept within an enclosed garage or an attached carport

Location: 121 Jackson Street, Altamonte Springs (Commission District 4)
Tax Parcel ID # 18-21-30-502-0C00-013A

Dorothy Hird, Code Enforcement Officer, was present at the hearing and testified on behalf of the County and entered into evidence photographs of the violations. Officer Hird stated that this was a repeat violation. Officer Hird further stated that as of her last inspection on September 21, 2007, the property was in compliance.

Officer Hird stated that the recommendation would be to impose a fine in the amount of \$1,100.00 for 22 days of non-compliance and increase the daily fine from \$50.00 per day to \$75.00 per day if these violations are repeated past today's date.

Officer Hird also stated that Mr. Cohen was elderly and not financially able to pay the fine.

Grace Chewning inquired as to Officer Hird's time into the case. Officer Hird stated that it was less than one hour.

Isiah and Lucille Cohen, Respondents, were not present.

After discussion of this case by the Board:

MOTION BY JAY AMMON, SECONDED BY GRACE CHEWNING, THAT THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER ON A REPEAT VIOLATION PRESENTLY IN COMPLIANCE BE:

**FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER
ON A REPEAT VIOLATION PRESENTLY IN COMPLIANCE**

The Respondents are the owner of record of the property (Tax Parcel # 18-21-30-502-0C00-013A) located at 121 Jackson Street, Sanford, located in Seminole County and legally described as follows:

LEG N 1/3 OF LOTS 13 14 + 15 BLK C
MERRITT PARK PB 8 PG 22

This case came on for public hearing before the Code Enforcement Board of Seminole County on the June 24, 2004 after due notice to the Respondents. The Board, having heard testimony under oath and having received evidence, issued its Findings of Fact, Conclusions of Law and Order.

Said Order found Respondents in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (g) and (l).

Said Order stated that a fine in the amount of \$50.00 per day would be imposed if the Respondents did not take certain corrective action by August 27, 2004. Compliance was obtained after reinspection on October 20, 2004. The Board issued an Order rescinding the \$2,600.00 fine on October 28, 2004.

An Affidavit of Repeat Violation has been filed with the Board by the Code Enforcement Officer, which Affidavit certifies under oath that the violations were being repeated after reinspection on August 30, 2007.

An Affidavit of Compliance After Repeat Violation has been filed with the Board by the Code Enforcement Officer, which Affidavit certifies under oath that corrective action has been taken by the Respondents after reinspection on September 21, 2007.

Based on the testimony and evidence presented, the Respondents were in repeat violation of the Seminole County Code, as stated in the original Findings of Fact, Conclusions of Law and Order dated June 24, 2004.

Therefore, the Board finds that the Respondents were in repeat violation and orders that the fine in the amount of **\$1,100.00** for 22 days of non-compliance, from August 30, 2007 through and including September 20, 2007, at **\$50.00 per day be reduced to \$10.00.**

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It is further ordered that the Respondents shall have **30 days** in which to pay the reduced fine of **\$10.00**. If the Respondents do not pay this amount on or before **November 26, 2007**, the fine will revert to the original amounts of \$1,100.00.

The Board further orders that if the violations continue past October 25, 2007, the fine shall be increased to **\$75.00 per day** for each day the violations continue past or are repeated after October 25, 2007.

This Order shall be recorded in the public records of Seminole County.

DONE AND ORDERED this 25th day of October 2007, in Seminole County, Florida.

**TOM HAGOOD – YES
GRACE CHEWNING – YES
GERALD AMES – YES
LARRY LAWVER – YES**

**BILL FAHEY – YES
JAY AMMON – YES
STEWART FRITZ – YES**

MOTION CARRIED 7 – 0.

.....
Case No 05-05-CEB
Larry W. Buckner
Code Enforcement Officer: Dorothy Hird

This is a second repeat violation. The original violation was heard by the Board on January 27, 2005 and an Order was entered giving the Respondent a compliance date of August 15, 2005. An Affidavit of Non-Compliance was filed by the Code Enforcement Officer after reinspection on August 16, 2005. An Affidavit of Compliance was filed by the Code Enforcement Officer after reinspection on October 26, 2005. On October 27, 2005, an Order was issued rescinding a fine in the amount of \$3,550.00.

An Affidavit of Repeat Violation was filed after reinspection on September 19, 2006. An Affidavit of Compliance After Repeat Violation was filed after reinspection on September 29, 2006. On May 17, 2007, an Order was issued increasing the daily fine to \$100.00 if violation is repeated after December 14, 2006 and imposing a \$500.00 lien.

A second Affidavit of Repeat Violation was filed after reinspection on September 5, 2007. An Affidavit of Compliance was filed by the Code Enforcement Officer after reinspection on October 25, 2007.

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This property is presently in compliance.

RECOMMENDATION: The Board issue an Order constituting a **fine** on a repeat violation in the amount of **\$5,000.00** for 50 days of non-compliance, from September, 2007 through and including October 24, 2007, at **100.00 per day**; and the fine shall continue to accrue at \$50.00 per day until compliance is obtained. The Clerk shall record said Order in the Public Records of Seminole County.

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in 95.3 (h).
Described as: 1) Uncultivated vegetation in excess of 24" in height and located within 75' of a structure
Location: 127 Orienta Drive, Altamonte Springs (Commission District 4)
Tax Parcel ID # 23-21-29-501-0000-0460

Dorothy Hird, Code Enforcement Officer, was present at the hearing and testified on behalf of the County and entered into evidence photographs of the violations. Officer Hird stated that this was a repeat violation. Officer Hird stated that as of her last inspection on October 24, 2007, the property was in compliance.

Officer Hird testified that Mrs. Buckner had informed her that she had been unable to deal with the yard due to the fact Mr. Buckner had been sick, in and out of the hospital, and finally passed away.

Officer Hird stated that the recommendation would be to find that the Respondent was in repeat violation and rescind the \$5,000 fine which was for 50 days of non-compliance.

Larry W. Buckner, Respondent, was not present.

After discussion of this case by the Board:

MOTION BY GERALD AMES, SECONDED BY GRACE CHEWNING, THAT THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER ON A 2ND REPEAT VIOLATION IN COMPLIANCE BE:

**FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER
ON A 2ND REPEAT VIOLATION IN COMPLIANCE**

The Respondent is the owner of record of the property (Tax Parcel # 23-21-29-501-0000-0460) located at 127 Orienta Drive, Altamonte Springs, located in Seminole County and legally described as follows:

LEG LOT 46 ORIENTA GARDENS 2ND ADD PB 11 PG 53

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
OCTOBER 25, 2007

This case came on for public hearing before the Code Enforcement Board of Seminole County on the January 27, 2005 after due notice to the Respondent. The Board, having heard testimony under oath and having received evidence, issued its Findings of Fact, Conclusions of Law and Order.

Said Order found Respondent in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in 95.3 (g) and (h).

Said Order stated that a fine in the amount of \$50.00 per day would be imposed if the Respondent did not take certain corrective action by August 15, 2005. Compliance was obtained on October 26, 2005.

On October 27, 2005, the Board issued an Order Finding Compliance and Rescinding Fine rescinding the fine in the amount of \$3,550.00.

An Affidavit of Repeat Violation has been filed with the Board by the Code Enforcement Officer, which Affidavit certifies under oath that the Violation (h) was being repeated after reinspection on September 19, 2006.

An Affidavit of Compliance After Repeat Violation has been filed with the Board by the Code Enforcement Officer, which Affidavit certifies under oath that corrective action has been taken by the Respondent after reinspection on September 29, 2006.

On May 17, 2007, an Order Finding Compliance and Imposing Fine/Lien On a Repeat Violation Presently in Compliance was issued imposing a lien in the amount of \$500.00 and increasing the daily fine to \$100.00 if violation is repeated after December 14, 2006.

A Second Affidavit of Repeat Violation has been filed with the Board by the Code Enforcement Officer, which Affidavit certifies under oath that Violation (h) is being repeated as of September 5, 2007. An Affidavit of Compliance was filed by the Code Enforcement Officer after reinspection on October 25, 2007.

Based on the testimony and evidence presented, the Respondent is in repeat violation of the Seminole County Code, as stated in the original Findings of Fact, Conclusions of Law and Order dated January 27, 2005.

Therefore, the Board orders that a fine in the amount of **\$5,000.00** for 50 days of non-compliance, from September 5, 2007 through and including October 25, 2007, at **\$100.00 per day** be **rescinded**.

This Order shall be recorded in the official land records of Seminole County.

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DONE AND ORDERED this 25th day of October 2007, in Seminole County, Florida.

**TOM HAGOOD – YES
GRACE CHEWNING – YES
GERALD AMES – YES
LARRY LAWVER – YES**

**BILL FAHEY – YES
JAY AMMON – YES
STEWART FRITZ – YES**

MOTION CARRIED 7 – 0.

Case No. 07-103-CEB
Gwendolyn Ingram
Code Enforcement Officer: Dorothy Hird

NEW CASE

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (h)
Described as: 1) Uncultivated vegetation in excess of 24” in height and located within 75’ from any structure
Location: 117 Leon Street, Altamonte Springs (Commission District 4)
Tax Parcel ID # 18-21-30-507-0000-0600

Dorothy Hird, Code Enforcement Officer, was present at the hearing and testified on behalf of the County and entered into evidence photographs of the violation. Officer Hird testified that as of her last inspection on October 24, 2007, the violation remains.

Officer Hird stated that the recommendation would be to comply by November 9, 2007 with a fine of \$75.00 per day if the violation continues or is repeated past November 9, 2007.

Gwendolyn Ingram, Respondent, was not present at the hearing.

After discussion of this case by the Board:

MOTION BY STEWART FRITZ, SECONDED BY JAY AMMON, THAT THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 07-103-CEB, it is determined that the Respondent is

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- (a) the owner of record of the property (Tax Parcel ID # 18-21-30-507-0000-0600) located at 117 Leon Street, Altamonte Springs, located in Seminole County and legally described as follows:

LEG LOTS 60 TO 64 REPLAT OF WINWOOD PARK PB 3 PG 30

- (b) in possession or control of the property, and
- (c) in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (h).

It is hereby ordered that the Respondent shall correct the violation on or before **November 9, 2007**. In order to correct the violation, the Respondent shall take the following remedial action:

1) REMOVE THE UNCULTIVATED VEGETATION IN EXCESS OF 24" IN HEIGHT AND LOCATED WITHIN 75' FROM ANY STRUCTURE

If the Respondent does not comply with the Order, a fine of **\$75.00 per day** will be imposed for each day the violation continues or is repeated after compliance past **November 9, 2007**.

The Respondent is further ordered to contact the Seminole County Code Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until the Code Officer inspects the property and verifies compliance with this Order.

This Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 25th day of October 2007, in Seminole County, Florida.

**TOM HAGOOD – YES
GRACE CHEWNING – YES
GERALD AMES – YES
LARRY LAWVER – YES**

**BILL FAHEY – YES
JAY AMMON – YES
STEWART FRITZ – YES**

MOTION CARRIED 7 – 0.

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SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
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Case No. 07-106-CEB
Itzhak and Ayala Shtark
Senior Code Enforcement Officer: Deborah Leigh

NEW CASE

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (h)
Described as: 1) Uncultivated vegetation in excess of 24" in height and located within 75' from any structure
Location: 1721 Highland Drive, Longwood (Commission District 4)
Parcel I. D. # 25-20-29-501-0000-0680

Deborah Leigh, Senior Code Enforcement Officer, was present at the hearing and testified on behalf of the County and entered into evidence photographs of the violation. Officer Leigh testified that as of her last inspection on October 12, the violation remained.

Officer Leigh stated that the recommendation would be to comply by November 9, 2007 with a fine of \$75.00 per day if the violation continues or is repeated past November 9, 2007.

Itzhak and Ayala Shtark, Respondents, were not present at the hearing.

After discussion of this case by the Board:

MOTION BY GRACE CHEWNING, SECONDED BY JAY AMMON, THAT THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 07-106-CEB, it is determined that the Respondents are:

- (a) the owners of record of the property (Tax Parcel ID # 25-20-29-501-0000-0680) located at 1721 Highland Drive, Longwood, located in Seminole County and legally described as follows:

LEG LOT 68 (LESS S 15 FT) MYRTLE LAKE HILLS PB 13 PG 8

- (b) in possession or control of the property, and
- (c) in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (h).

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It is hereby ordered that the Respondents shall correct the violation on or before **November 9, 2007**. In order to correct the violation, the Respondents shall take the following remedial action:

1) REMOVE THE UNCULTIVATED VEGETATION IN EXCESS OF 24" IN HEIGHT AND LOCATED WITHIN 75' FROM ANY STRUCTURE

If the Respondents do not comply with the Order, a fine of **\$75.00 per day** will be imposed for each day the violation continues or is repeated after compliance past **November 9, 2007**.

The Respondents are further ordered to contact the Seminole County Code Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until the Code Officer inspects the property and verifies compliance with this Order.

This Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 25th day of October 2007, in Seminole County, Florida.

**TOM HAGOOD – YES
GRACE CHEWNING – YES
GERALD AMES – YES
LARRY LAWVER - YES**

**BILL FAHEY – YES
JAY AMMON – YES
STEWART FRITZ – YES**

MOTION CARRIED 7 – 0.

Case No. 07-109-CEB
Anthony Tabor
Senior Code Enforcement Officer: Deborah Leigh

NEW CASE

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (h), (n) and (o)
Described as: 1) Uncultivated vegetation in excess of 24" in height and located within 75' from any structure
2) Stagnant or foul water in a swimming or wading pool
3) Swimming pool not completely enclosed by permanent fencing
Location: 1743 Cedar Stone Court, Lake Mary (Commission District 4)
Parcel I. D. # 35-19-29-503-0000-0030

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
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Deborah Leigh, Senior Code Enforcement Officer, was present at the hearing and testified on behalf of the County and entered into evidence photographs of the violations.

Officer Leigh testified that the unsecured pool and stagnant water in the pool were added at the time of the October 12, 2007 posting of the property.

Officer Leigh stated that the recommendation would be to comply by November 2, 2007 with a fine of \$250.00 per day if the violations continue or are repeated past November 2, 2007.

Anthony Tabor, Respondent, was not present at the hearing.

A motion was made by Gerald Ames, seconded by Stewart Fritz, to accept Staff's recommendation.

Officer Leigh further stated that this posed a serious threat to the health, safety, and welfare of the citizens of Seminole County.

Tom Hagood asked Mr. Ames if his motion included a finding that based on the evidence there is a health, safety and welfare issue. Mr. Ames and Mr. Fritz agreed that the motion did include that finding.

After discussion of this case by the Board:

MOTION BY GERALD AMES, SECONDED BY STEWART FRITZ, THAT THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 07-109-CEB, it is determined that the Respondent is

- (a) the owner of record of the property (Tax Parcel ID # 35-19-29-503-0000-0030) located at 1754 Cedar Stone Court, Lake Mary, located in Seminole County and legally described as follows:

LOT 3 MARKHAM OAKS WEST PB 58 PGS 9-11

- (b) in possession or control of the property, and
- (c) in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (h), (n) and (o).

It is hereby ordered that Violation (o), Number 3, presents a serious threat to the public health, safety, and welfare of the citizens of Seminole County.

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It is hereby ordered that the Respondent shall correct the violations on or before **November 2, 2007**. In order to correct the violations, the Respondent shall take the following remedial action:

- 1) REMOVE THE UNCULTIVATED VEGETATION IN EXCESS OF 24" IN HEIGHT AND LOCATED WITHIN 75' FROM ANY STRUCTURE
- 2) REMOVE OR TREAT STAGNANT OR FOUL WATER IN A SWIMMING OR WADING POOL
- 3) SECURE POOL WITH BARRIER ACCORDING TO CODE

If the Respondent does not comply with the Order, a fine of **\$250.00 per day** will be imposed for each day the violations continue or are repeated after compliance past **November 2, 2007**.

The Respondent is further ordered to contact the Seminole County Code Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until the Code Officer inspects the property and verifies compliance with this Order.

This Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 25th day of October 2007, in Seminole County, Florida.

**TOM HAGOOD – YES
GRACE CHEWNING – YES
GERALD AMES – YES
LARRY LAWVER – YES**

**BILL FAHEY – YES
JAY AMMON – YES
STEWART FRITZ – YES**

MOTION CARRIED 7 – 0.

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(Gerald Ames left at 3:25)
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Case No. 07-110-CEB
Luis Latorre and Maria C. Aramillo
Code Enforcement Officer: Jerry Robertson

NEW CASE

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
OCTOBER 25, 2007

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (h) and (n)
Described as: 1) Uncultivated vegetation in excess of 24" in height and located within 75' from any structure
2) Stagnant or foul water in a swimming or wading pool
Location: 2844 Lexington Court, Oviedo (Commission District 1)
Parcel I. D. # 28-21-31-503-0000-0400

Jerry Robertson, Code Enforcement Officer, was present at the hearing and testified on behalf of the County and entered into evidence photographs of the violations. Officer Robertson testified that although the pool had stagnant water in it, it was a secured pool.

Officer Robertson stated that this property was in foreclosure.

Officer Robertson stated that the recommendation would be to comply by November 9, 2007 with a fine of \$100.00 per day if the violations continue or are repeated past November 9, 2007.

Luis Latorre and Maria C. Aramillo, Respondents, were not present at the hearing.

After discussion of this case by the Board:

MOTION BY STEWART FRITZ, SECONDED BY GRACE CHEWNING, THAT THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 07-110-CEB, it is determined that the Respondents are:

- (a) the owners of record of the property (Tax Parcel ID # 28-21-31-503-0000-0400) located at 2844 Lexington Court, Oviedo, located in Seminole County and legally described as follows:

LEG LOT 40 REMINGTON PARK PB 38 PGS 74 TO 76

- (b) in possession or control of the property, and
- (c) in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (h) and (n).

It is hereby ordered that the Respondents shall correct the violations on or before **November 9, 2007**. In order to correct the violations, the Respondents shall take the following remedial action:

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
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- 1) REMOVE THE UNCULTIVATED VEGETATION IN EXCESS OF 24" IN HEIGHT AND LOCATED WITHIN 75' FROM ANY STRUCTURE
- 2) CLEAN OR DRAIN STAGNANT OR FOUL WATER IN A SWIMMING OR WADING POOL

If the Respondents do not comply with the Order, a fine of **\$100.00 per day** will be imposed for each day the violations continue or are repeated after compliance past **November 9, 2007**.

The Respondents are further ordered to contact the Seminole County Code Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until the Code Officer inspects the property and verifies compliance with this Order.

This Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 25th day of October 2007, in Seminole County, Florida.

TOM HAGOOD – YES
GRACE CHEWNING – YES
LARRY LAWVER - YES

BILL FAHEY – YES
JAY AMMON – YES
STEWART FRITZ – YES

MOTION CARRIED 6 – 0.

Case No. 07-114-CEB
Vickie R. and Ronald A. Seyk
Code Enforcement Officer: Joann D. Tamulonis

NEW CASE

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (g), (h), (j) and (l)

Described as:

- 1) The accumulation of trash and debris
- 2) Uncultivated vegetation in excess of 24" in height and located within 75' from any structure
- 3) Used/scrap building materials
- 4) Junked or abandoned vehicle(s) not kept within an enclosed garage or an attached carport

Location: 2651 Azalea Drive, Longwood (Commission District 3)
Parcel I. D. # 05-21-29-502-0B00-0210

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
OCTOBER 25, 2007

Joann Tamulonis, Code Enforcement Officer, was present at the hearing and testified on behalf of the County and entered into evidence photographs of the violations.

Officer Tamulonis stated that at her last inspection on October 11, 2007, the violations still remained. Officer Tamulonis also stated that she did receive a phone call on either October 23, 2007 or October 24, 2007 wherein the Respondents stated that they believed that they were in compliance.

Officer Tamulonis stated that the recommendation would be to comply by November 16, 2007 with a fine of \$150.00 per day if the violations continue or are repeated past November 16, 2007.

Vickie R. and Ronald A. Seyk, Respondents, were not present at the hearing.

After discussion of this case by the Board:

MOTION BY BILL FAHEY, SECONDED BY JAY AMMON, THAT THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 07-114-CEB, it is determined that the Respondents are:

- (a) the owners of record of the property (Tax Parcel ID # 05-21-29-502-0B00-0210) located at 2651 Azalea Drive, Longwood, located in Seminole County and legally described as follows:

LEG LOT 21 BLK B LAKE BRANTLEY ISLES 2ND ADD PB 11 PG 5

- (b) in possession or control of the property, and
- (c) in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (g), (h), (j) and (l).

It is hereby ordered that the Respondents shall correct the violations on or before November 16, 2007. In order to correct the violations, the Respondents shall take the following remedial action:

- 1) REMOVE THE ACCUMULATION OF TRASH AND DEBRIS
- 2) REMOVE THE UNCULTIVATED VEGETATION IN EXCESS OF 24" IN HEIGHT AND LOCATED WITHIN 75' FROM ANY STRUCTURE
- 3) REMOVE USED/SCRAP BUILDING MATERIALS
- 4) REMOVE OR REPAIR JUNKED OR ABANDONED VEHICLE(S) OR PLACE VEHICLE(S) WITHIN AN ENCLOSED GARAGE OR AN ATTACHED CARPORT

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If the Respondents do not comply with the Order, a fine of **\$150.00 per day** will be imposed for each day the violations continue or are repeated after compliance past November 16, 2007.

The Respondents are further ordered to contact the Seminole County Code Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until the Code Officer inspects the property and verifies compliance with this Order.

This Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 25th day of October 2007, in Seminole County, Florida.

TOM HAGOOD – YES

GRACE CHEWNING – YES

LARRY LAWVER - YES

BILL FAHEY – YES

JAY AMMON – YES

STEWART FRITZ – YES

MOTION CARRIED 6 – 0.

Case No. 07-125-CEB
Federal National Mortgage Association
Code Enforcement Officer: Jerry Robertson

NEW CASE

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (g) and (h)
Described as: 1) The accumulation of trash and debris
2) Uncultivated vegetation in excess of 24" in height and located within 75' from any structure
Location: 135 Pine Street, Geneva (Commission District 2)
Parcel I. D. # 21-20-32-501-0400-0070

Jerry Robertson, Code Enforcement Officer, was present at the hearing and testified on behalf of the County and entered into evidence photographs of the violations. Officer Robertson testified that this property was in foreclosure.

Officer Robertson testified that he had been in contact with the mortgage company and that the property was now two-thirds of the way into compliance.

Officer Robertson stated that the recommendation would be to comply by November 8, 2007 with a fine of \$250.00 per day if the violations continue or are repeated past November 8, 2007.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
OCTOBER 25, 2007

Federal National Mortgage Association, Respondent, was not present at the hearing.

After discussion of this case by the Board:

MOTION BY LARRY LAWVER, SECONDED BY GRACE CHEWNING, THAT THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 07-125-CEB, it is determined that the Respondent is:

- (a) the owner of record of the property (Tax Parcel ID # 21-20-32-501-0400-0070) located at 135 Pine Street, Geneva, located in Seminole County and legally described as follows:

LOTS 7 + 8 & N 1/2 OF VACD ALLEY ADJ ON
S & W 1/2 OF VACD ALLEY ADJ ON E BLK 4
WHITCOMBS 1ST ADD TO GENEVA PB 2 PG 50

- (b) in possession or control of the property, and
(c) in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (g) and (h).

It is hereby ordered that the Respondent shall correct the violations on or before November 8, 2007. In order to correct the violations, the Respondent shall take the following remedial action:

- 1) REMOVE THE ACCUMULATION OF TRASH AND DEBRIS**
2) REMOVE THE UNCULTIVATED VEGETATION IN EXCESS OF 24" IN HEIGHT AND LOCATED WITHIN 75' FROM ANY STRUCTURE

If the Respondent does not comply with the Order, a fine of **\$250.00 per day** will be imposed for each day the violations continue or are repeated after compliance past November 8, 2007.

The Respondent is further ordered to contact the Seminole County Code Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until the Code Officer inspects the property and verifies compliance with this Order.

This Order shall be recorded in the official land records of Seminole County.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
OCTOBER 25, 2007

DONE AND ORDERED this 25th day of October 2007, in Seminole County, Florida.

TOM HAGOOD – YES
GRACE CHEWNING – YES
LARRY LAWVER - YES

BILL FAHEY – YES
JAY AMMON – YES
STEWART FRITZ – YES

6– 0.

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Case No. 07-127-CEB
Paul S. and Maria B. Harbach
Code Enforcement Officer: Donna Wisniewski

NEW CASE

Violation Charged: Seminole County Land Development Code, Chapter 30, Section 30.1349 (e) and Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (g) and (h)

Described as: 1) Fence not in original, upright condition
 2) The accumulation of trash and debris
 3) Uncultivated vegetation in excess of 24” in height and located within 75’ from any structure

Location: 4661 Tiffany Woods Circle, Oviedo (Commission District 1)
 Parcel I. D. # 25-21-30-5GW-0000-0100

Donna Wisniewski, Code Enforcement Officer, was present at the hearing and testified on behalf of the County and entered into evidence photographs of the violations.

Officer Wisniewski stated that at her last inspection on October 15, 2007, the trash and debris and uncultivated vegetation had been removed but the violation concerning the fence still remained.

Officer Wisniewski stated that the recommendation would be to comply by November 9, 2007 with a fine of \$75.00 per day if the violation continues or is repeated past November 9, 2007.

Paul W. Harbach, Respondent, was present at the hearing and testified on his own behalf and entered photographs into evidence. Mr. Harbach stated that at this time, he believes that he is in compliance.

Officer Wisniewski stated that in reviewing the photographs, the Respondent was now in compliance.

Dan Mantzaris asked Officer Wisniewski if Staff had a different recommendation.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
OCTOBER 25, 2007

Officer Wisniewski stated that the recommendation would be to find that the property was in violation but is now in compliance; however, if the violations are repeated past October 25, 2007, a fine of \$75.00 per day will be imposed.

Motion by Larry Lawver, seconded by Stewart Fritz to accept Staff's recommendation.

General discussion was had concerning which violations were included in the motion. Tom Hagood clarified that the motion will included all three violations.

Mr. Lawver stated that that was not the original intent of his motion but that he is comfortable with a motion that includes all three violations.

After discussion of this case by the Board:

MOTION BY LARRY LAWVER, SECONDED BY STEWART FRITZ, THAT THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 07-127-CEB, it is determined that the Respondents are:

- (a) the owners of record of the property (Tax Parcel ID # 25-21-30-5GW-0000-0100) located at 4661 Tiffany Woods Circle, Oviedo, located in Seminole County and legally described as follows:

LEG LOT 10 TIFFANY WOODS PB 29 PGS 28 & 29

- (b) in possession or control of the property, and
- (c) were in violation of Seminole County Land Development Code, Chapter 30, Section 30.1349 (e) and Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (g) and (h).

It is hereby ordered that the Respondents are in compliance at this time. In order to remain in compliance, the Respondents shall:

- 1) REPAIR OR REPLACE FENCE TO ITS ORIGINAL UPRIGHT CONDITION**
- 2) REMOVE ACCUMULATION OF TRASH AND DEBRIS**
- 3) REMOVE THE UNCULTIVATED VEGETATION IN EXCESS OF 24" IN HEIGHT AND LOCATED WITHIN 75' FROM ANY STRUCTURE**

If the Respondents do not comply with the Order, a fine of **\$75.00 per day** will be imposed for each day the violations continue or are repeated after compliance past October 25, 2007.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
OCTOBER 25, 2007

This Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 25th day of October 2007, in Seminole County, Florida.

**TOM HAGOOD – YES
GRACE CHEWNING – YES
LARRY LAWVER - YES**

**BILL FAHEY – YES
JAY AMMON – YES
STEWART FRITZ – YES**

MOTION CARRIED 6 – 0.

Case No. 07-128-CEB
Antone and Karen Pavao
Senior Code Enforcement Officer: Deborah Leigh

NEW CASE

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (n) and (o)
Described as: 1) Stagnant or foul water in a swimming or wading pool
2) Swimming pool not completely enclosed by permanent fencing –
(Swimming pool not enclosed with a barrier according to code)
Location: 1670 Astor Farms Place, Sanford (Commission District 5)
Parcel I. D. # 13-19-29-5DT-0000-0180

Deborah Leigh, Senior Code Enforcement Officer, was present at the hearing and testified on behalf of the County and entered into evidence photographs of the violations. Officer Leigh testified that as of her last inspection on October 12, the violations remained.

Officer Leigh further stated that this posed a very serious threat to the health, safety, and welfare of the citizens of Seminole County.

Officer Leigh stated that the recommendation would be to comply by November 2, 2007 with a fine of \$250.00 per day if the violations continue or are repeated past November 2, 2007.

Antone and Karen Pavao, Respondents, were not present at the hearing.

After discussion of this case by the Board:

MOTION BY JAY AMMON, SECONDED BY GRACE CHEWNING, THAT THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 07-128-CEB, it is determined that the Respondents are:

- (a) the owners of record of the property (Tax Parcel ID # 13-19-29-5DT-0000-0180) located at 1670 Astor Farms Place, Sanford, located in Seminole County and legally described as follows:

LOT 18 PRESERVE AT ASTOR FARMS PH 1 PB 60 PGS 1 THRU 4

- (b) in possession or control of the property, and
- (c) in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (n) and (o).

It is hereby ordered that Violation (c), Number 2, presents a serious threat to the public health, safety, and welfare of the citizens.

It is hereby ordered that the Respondents shall correct the violations on or before **November 2, 2007**. In order to correct the violations, the Respondents shall take the following remedial action:

- 1) REMOVE OR TREAT THE STAGNANT OR FOUL WATER IN A SWIMMING OR WADING POOL**
- 2) SECURE POOL WITH BARRIER ACCORDING TO CODE**

If the Respondents do not comply with the Order, a fine of **\$250.00 per day** will be imposed for each day the violations continue or are repeated after compliance past **November 2, 2007**.

The Respondents are further ordered to contact the Seminole County Code Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until the Code Officer inspects the property and verifies compliance with this Order.

This Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 25th day of October 2007, in Seminole County, Florida.

**TOM HAGOOD – YES
GRACE CHEWNING – YES
LARRY LAWVER - YES**

**BILL FAHEY – YES
JAY AMMON – YES
STEWART FRITZ – YES**

MOTION CARRIED 6 – 0.

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SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
OCTOBER 25, 2007

Case No. 07-129-CEB
Jacqueline Laggan and
Andera K. Mohammed
Senior Code Enforcement Officer: Deborah Leigh

NEW CASE

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (h), (n) and (o)
Described as: 1) Uncultivated vegetation in excess of 24" in height and located within 75' from any structure
2) Stagnant or foul water in a swimming or wading pool
3) Swimming pool not completely enclosed by permanent fencing – (Swimming pool not enclosed with a barrier according to code)
Location: 2144 Deer Hollow Circle, Longwood (Commission District 5)
Parcel I. D. # 23-20-29-5HT-0000-0220

Deborah Leigh, Senior Code Enforcement Officer, was present at the hearing and testified on behalf of the County and entered into evidence photographs of the violations. Officer Leigh testified that as of her last inspection on October 12, the violations remained.

Officer Leigh further stated that these violations constitute a serious threat to the health, safety, and welfare of the citizens of Seminole County.

Officer Leigh stated that the recommendation would be to comply by November 2, 2007 with a fine of \$250.00 per day if the violations continue or are repeated past November 2, 2007.

Jacqueline Laggan and Andera K. Mohammed, Respondents, were not present at the hearing.

After discussion of this case by the Board:

MOTION BY STEWART FRITZ, SECONDED BY LARRY LAWVER, THAT THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 07-129-CEB, it is determined that the Respondents are:

- (a) the owners of record of the property (Tax Parcel ID # 23-20-29-5HT-0000-0220) located at 2144 Deer Hollow Circle, Longwood, located in Seminole County and legally described as follows:

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
OCTOBER 25, 2007

LEG LOT 22 WINGFIELD RESERVE PH 3 PB 32 PGS 36 TO 39

- (b) in possession or control of the property, and
- (c) in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (h), (n) and (o).

It is hereby ordered that Violation (o), Number 3, presents a serious threat to the public health, safety, and welfare of the citizens.

It is hereby ordered that the Respondents shall correct the violations on or before **November 2, 2007**. In order to correct the violations, the Respondents shall take the following remedial action:

- 1) REMOVE UNCULTIVATED VEGETATION IN EXCESS OF 24" IN HEIGHT AND LOCATED WITHIN 75' FROM ANY STRUCTURE**
- 2) REMOVE OR TREAT THE STAGNANT OR FOUL WATER IN SWIMMING OR WADING POOL**
- 3) SECURE POOL WITH BARRIER ACCORDING TO CODE**

If the Respondents do not comply with the Order, a fine of **\$250.00 per day** will be imposed for each day the violations continue or are repeated after compliance past **November 2, 2007**.

The Respondents are further ordered to contact the Seminole County Code Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until the Code Officer inspects the property and verifies compliance with this Order.

This Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 25th day of October 2007, in Seminole County, Florida.

**TOM HAGOOD – YES
GRACE CHEWNING – YES
LARRY LAWVER – YES**

**BILL FAHEY – YES
JAY AMMON – YES
STEWART FRITZ – YES**

MOTION CARRIED 6 – 0.

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AT THIS TIME, THE CHAIRMAN ASKED TO ENTERTAIN A MOTION TO ACCEPT THE CONSENT AGENDA AS LISTED. MOTION BY LARRY LAWVER, SECONDED BY JAY AMMON, TO ACCEPT THE CONSENT AGENDA AS FOLLOWS:

Case No. 07-81-CEB
Stacy Dudley
Senior Code Enforcement Officer: Deborah Leigh

This case was originally heard by the Board on August 23, 2007; and an Order was entered giving the Respondent compliance dates of August 31, 2007 for Number 6, unsecured pool, and September 28, 2007 for the other violations. An Affidavit of Non-Compliance was filed by the Code Enforcement Officer after reinspection on September 4, 2007 for Number 6, unsecured pool, and on October 1, 2007 for the other violations.

This property is NOT in compliance at this time.

RECOMMENDATION: The Board issue an Order constituting a **lien** in the amount of **\$13,750.00** for 55 days of non-compliance, from September 1, 2007 through and including October 25, 2007, at \$250.00 per day; and the fine shall continue to accrue at **\$250.00 per day** for each day the violations continue or are repeated past September 27, 2007. The Clerk shall record said Order in the Public Records of Seminole County.

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (e), (f), (g), (h), (n), (o) and (p)

Described as:

- 1) Unusable or abandoned furniture
- 2) Unusable or abandoned appliances or white goods
- 3) The accumulation of trash and debris
- 4) Uncultivated vegetation in excess of 24" in height and located within 75' from any structure
- 5) Stagnant or foul water in a swimming or wading pool
- 6) Swimming pool not completely enclosed by permanent fencing
- 7) Any other objectionable, unsightly, or unsanitary matter, substance, or material tending by its existence and/or accumulation to endanger or adversely affect the health, safety, lives, and/or welfare of the citizens of the county

Location: 1620 Ridge Avenue, Longwood (Commission District 4)
Parcel I. D. # 20-20-30-502-0E00-0030

ORDER FINDING NON-COMPLIANCE AND IMPOSING FINE/LIEN

The Respondent is the owner of record of the property (Tax Parcel ID # 20-20-30-502-0E00-0030) located at 1620 Ridge Avenue, Longwood, located in Seminole County and legally described as follows:

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
OCTOBER 25, 2007

LEG LOT 3 BLK E HENSONS ACRES PB 9 PG 99

This case came on for public hearing before the Code Enforcement Board of Seminole County on August 23, 2007, after due notice to the Respondent. The Board, having heard testimony under oath and having received evidence, issued its Findings of Fact, Conclusions of Law and Order.

Said Order found Respondent in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (e), (f), (g), (h), (n), (o) and (p).

Said Order stated that a fine in the amount of \$250.00 per day would be imposed if the Respondent did not take certain corrective action by August 31, 2007 and September 28, 2007.

An Affidavit of Non-Compliance had been filed by the Code Enforcement Officer, which Affidavit certified under oath that the required action had not been obtained after reinspection on September 4, 2007 and an Affidavit of Non-Compliance had been filed by the Code Enforcement Officer, which Affidavit certified under oath that the other required actions had not been obtained after reinspection on October 1, 2007.

Accordingly, it having been brought to the Board's attention that Respondent has not complied with the Order dated August 23, 2007, the Board orders that a **lien** in the amount of **\$13,750.00** for 55 days of non-compliance at \$250.00 per day, from August 31, 2007 through and including October 25, 2007, be imposed; and the fine shall continue to accrue at **\$250.00** per day for each day the violations continue or are repeated past October 25, 2007.

This Order shall be recorded in the official land records of Seminole County and shall constitute a **lien** against the land on which the violation exists and upon any other real or personal property owned by the Respondent.

DONE AND ORDERED this 25th day of October 2007, in Seminole County, Florida.

TOM HAGOOD – YES
GRACE CHEWNING – YES
LARRY LAWVER - YES

BILL FAHEY – YES
JAY AMMON – YES
STEWART FRITZ – YES

MOTION CARRIED 6 – 0.

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VII Approval of the minutes from the meeting of September 27, 2007.

MOTION BY GRACE CHEWNING, SECONDED BY STEWART FRITZ, TO APPROVE THE MINUTES FROM THE MEETING OF SEPTEMBER 27, 2007.

TOM HAGOOD – YES	BILL FAHEY – YES
GRACE CHEWNING – YES	JAY AMMON – YES
LARRY LAWVER - YES	STEWART FRITZ – YES

MOTION CARRIED 6 – 0.

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VIII Confirmation date of next meeting: December 6, 2007

IX Old Business –

None

X New Business –

None

XI Adjourn – There being no further discussion, this meeting was adjourned at 3:50 P.M.

Respectfully submitted:

Jane Spencer
Clerk to the Code Enforcement Board

Tom Hagood
Chair

10-25-07 minutes